

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

JANET ANN SYDNOR AND
CHARLES VERNON CLARKSON

v.

ZVI GUTTMAN, CHAPTER 7 TRUSTEE,
ET AL.

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Civil No. – JFM-14-296

MEMORANDUM

Janet Ann Sydnor and Charles Vernon Clarkson have appealed the decision of the Bankruptcy Court to grant the motion for motion for [sic] authority to compromise controversies entered on December 19, 2013. The issues have been fully briefed. The Bankruptcy Court's decision will be affirmed.

First, I find that appellants waived the arguments they are making on appeal because they did not make these arguments in the Bankruptcy Court.

Second, assuming that appellants did not waive the arguments they are now making, I fully agree with the Bankruptcy Court's conclusion that the decision to approve the settlement entered into between the Chapter 7 Trustee and the Lenders was "well within reasonable business judgment, not even questionable, not even close." The standard to be applied to the Bankruptcy Court's approval is, despite appellant's arguments to the contrary, whether the Bankruptcy Court abused its discretion in making the findings it did. The Bankruptcy Court did not. To the contrary, it considered all of the relevant factors, and concluded that the proposed settlement was reasonable.

A separate order affirming the Bankruptcy Court's decision is being entered herewith.

Date: August 29, 2014

/s/
J. Frederick Motz
United States District Judge